



Atty Dkt No. 021286-0276339
Pat. App. Ser. No. 09/844,684

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Mikayama et al.

Group Art Unit: 1644

Appln. No.: 09/844,684

Examiner: Gambel, P.

Filed: April 27, 2001

Title: HUMAN ANTI-CD-40 ANTIBODIES AND METHODS OF MAKING AND USING THEM

NOTICE OF APPEAL

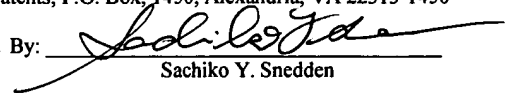
Mail Stop AF
Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence along with any paper referred to as being attached is being Mailed to Addressee by service of the United States Postal Service addressed to Commissioner for Patents, P.O. Box, 1450, Alexandria, VA 22313-1450

Date: September 2, 2004

By:


Sachiko Y. Snedden

Sir:

Applicants hereby appeal from the Examiner's Action mailed March 8, 2004, finally rejecting claims 3, 6, 8, 24-26, 65, 67-78.

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Notice of Appeal is \$330.00 (Large Entity). Applicant hereby authorizes the Commissioner to debit our deposit account in the amount of \$2,054.00 (\$330 for the Notice of Appeal filing fee, \$950 for 3 month extension of time fee and \$774 for extra claim fee). If this fee is incorrect or if any additional fees are due in connection with this and the attached papers, or with this application during its entire pendency, the Commissioner is hereby authorized to charge any such fees, or to credit any overpayment to, our **Deposit Account No. 50-2212, Order No. 021286-0276339**. This Notice of Appeal is being filed in triplicate.

09/08/2004 HMEKONEN 00000132 09844684

01 FC:1401 330.00 DA

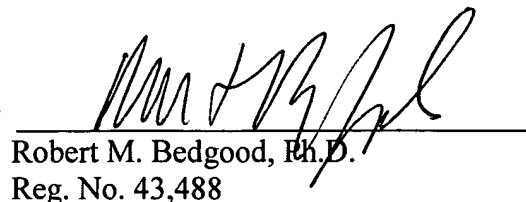
Respectfully submitted,

Pillsbury Winthrop LLP

Date: September 2, 2004

11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
(619) 234-5000

By


Robert M. Bedgood, Ph.D.
Reg. No. 43,488

Tel. No. (858) 509-4065
Fax No. (858) 509-4010